

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Trisha Tshudy,	:	
	:	
<i>Plaintiff</i>	:	
	:	Civil Action No. 22-cv-03336
vs.	:	
	:	Hon. Wendy Beetlestone
Pennsylvania State University	:	
	:	
<i>Defendant</i>	:	
	:	

**THE PENNSYLVANIA STATE UNIVERSITY’S MOTION TO DISMISS  
PLAINTIFF’S COMPLAINT FOR FAILURE TO STATE A CLAIM**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant, The Pennsylvania State University (“PSU”), by and through its undersigned counsel, respectfully moves this Court to dismiss Plaintiff, Trisha Tshudy’s Complaint for failure to state a claim upon which relief can be granted. For the reasons set forth in PSU’s accompanying Memorandum of Law, PSU respectfully requests that this Court enter the attached, proposed form of order.

Via Order dated September 13, 2022 (ECF No. 24), the United States District Court for the Eastern District of Pennsylvania Court transferred this case to the United States District Court for the Middle District of Pennsylvania. While PSU’s Motion to Dismiss will ultimately be heard by and before the Middle District, PSU’s response to Plaintiff, Trisha Tshudy’s Complaint is due today and, therefore, PSU is filing its Motion to Dismiss at this time so that it is timely filed.

Dated: September 13, 2022

Respectfully submitted,

**BUCHANAN INGERSOLL & ROONEY PC**

By: /s/ Geoffrey F. Sasso

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*Attorneys for Defendant, The  
Pennsylvania State University*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of September, 2022, a true and correct copy of the Defendant The Pennsylvania State University's Motion to Dismiss Plaintiff's Complaint and Supporting Memorandum of Law was filed by the Court's Electronic Case Filing System and is available for viewing and downloading from the ECF system. The below was served via ECF:

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*Attorney for Plaintiff, Trisha Tshudy*

/s/ Geoffrey S. Sasso  
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